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REMARKS

Claims 2-17, 22, 24-39, 44, 45, and 47-51 are all the claims presently pending.

While Applicant believes that all of the claims are patentable over the prior art of record, to expedite prosecution, claims 6-8, 10, 48, and 49 have been amended merely to change their dependency from claim 1 to claim 2, which has been rewritten in independent form. Claims 25, 28, 29, 31-34, 50, and 51 have been amended merely to change their dependency from claim 23 to claim 24, which has been rewritten in independent form.

Claims 1, 23, and 52-55 have been canceled without prejudice or disclaimer.

The claims also have been amended to define more clearly the statutory subject matter of the claimed invention. No new matter is added.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1, 22, 23, 44, 45, and 47 stand rejected under 35 U.S.C. § 101.

Claims 1, 22, 23, 44, 45, and 47 stand rejected under 35 U.S.C. § 112, second paragraph.

Claims 1, 6-8, 10, 23, 28-32, 45, and 48-51 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Fox (U.S. Publication No. 2003/0130998).

Claims 2-5, 9, 24-27, and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fox in view of Newbold (U.S. Publication No. 2005/0192957).

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Claims 11-17, 22, 33-39, 44, 47, and 52-55 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fox in view of Egger, et al. (U.S. Patent No. 6,233,571).

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

Applicant's invention, as disclosed and claimed (e.g., as exemplarily defined in independent claim 1) is directed to a computer-implemented method (and system) of indexing data blocks according to a collection of subject words, which includes constructing a N-dimensional coordinate space, wherein N is a cardinality of the collection of subject words.

Independent claims 22, 23, 44, 45, and 47 recite combinations which include the above limitation that N is a cardinality of the collection of subject words.

With these aspects, the invention provides a new navigation pattern of the present invention which is referred to herein as "*Spatial Navigation*" (see application at pages 12-13). It is noted that this navigation model is not limited to the navigation of data in the Web, which implies the traversal of HTML links. It can be used in any kind of data base. Further, it can also be used to navigate documents in the World Wide Web *without* relying on the traversal of Web links.

Thus, in the invention, a method (and system) are provided in which data blocks are organized according to a spatial function derived from the metadata and hyperlink information which is contained within each block.

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The spatial function used in the data organization method is exemplarily derived from a distance function which represents a measure of the relevance of any two data blocks indexed in the system. This method has applications in the fields of data mining and information retrieval and can also assist in the navigation and retrieval of data blocks stored in the World Wide Web (WWW).

Thus, for example, the invention allows mapping any document into a spatial coordinate such that the spatial coordinate can be viewed according to the content of the document. If two documents are in close proximity in the physical plane, then the two documents are related (e.g., relevant to one another). Thus, the search engine operates by mapping into spatial coordinates all of the pages which are taken in (e.g., via a crawler process scanning Web pages or the like, etc.), and calculates the coordinates of the page in the spatial plane.

Hence, when a user poses a query for some page, the system begins at the insertion point and "inserts" the user into this virtual space in a certain coordinate according to the search criteria that was stipulated. At this time, the new paradigm for retrieving the document in the spatial plane according to the invention is performed such that a radius is calculated from the insertion point (based on the search criteria) and a proximity list is generated. The proximity list indicates the document(s) which are adjacent (near the spatial plane/coordinates) the insertion point.

It is noted that the invention uses a term-by-document matrix, but now with the present invention every row is associated with each other. In contrast, the rows in the conventional techniques are looked at in isolation (e.g., look at "IBM" alone and determine

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which documents have high counts, look at a second row for "XYZ" and determine which documents have a high score, etc.). However, as discussed below, the invention relates every row to one another.

For example, as discussed in the application at page 12, assuming a first row is "IBM", a second row is "Patents", a third row is "filed", and a fourth row is "Sun".

In such an example, a page which relates to IBM and patents, would have a very low count. However, if a second page included all of the patents in the world, then the count would be very high since not only IBM's patents are being looked at.

However, because the count for the word "Sun" is higher in the second page, this makes the second page more distant than the first page which related only to IBM. Thus, the invention uses terms, not necessarily asked for, to relate any two documents. Thus, a direction of a user's interest can be measured by correlating all of the terms used.

Such features as defined by the claimed invention are not taught or suggested by any other prior art of record.

II. REJECTION UNDER 35 U.S.C. § 101

Claims 1, 22, 23, 44, 45, and 47 stand rejected under 35 U.S.C. § 101.

As noted below, claim 1 has been canceled without prejudice or disclaimer, and therefore, the rejection of claim 1 is moot.

While Applicant believes that claims 22, 23, and 44 are directed to statutory subject matter, these claims have been amended to define more clearly the statutory subject matter of the claimed invention.

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Claims 45 and 47 also have been amended to define more clearly the statutory subject matter of the claimed invention.

Therefore, the Examiner is requested to reconsider and withdraw this rejection.

III. REJECTION UNDER 35 U.S.C. § 112

Claims 1, 22, 23, 44, 45, and 47 stand rejected under 35 U.S.C. § 112, second paragraph.

First, Applicant notes that claims 23 and 44 are directed to a system, not a method. Thus, the Examiner's position that such claims omit a step is not believed to be germane to these claims. Therefore, the Examiner is requested to reconsider and withdraw the rejection of claims 23 and 44.

Claim 1 has been canceled without prejudice or disclaimer, and therefore, the rejection of claim 1 is moot.

On the other hand, with respect to claims 22, 45, and 47, while Applicant believes that the claims are clear and definite as written, to expedite prosecution, these claims have been amended to define more clearly the features of the claimed invention.

Therefore, the Examiner is requested to reconsider and withdraw the rejection of claims 22, 45, and 47.

IV. THE PRIOR ART REJECTIONS

A. Claims 1, 6-8, 10, 23, 28-32, 45, and 48-51 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Fox.

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Claims 1, 6-8, 10, 48, and 49

To expedite prosecution, claim 1 has been canceled without prejudice or disclaimer and claim 2 has been rewritten in independent form.

Applicant notes that claims 6-8, 10, 48, and 49 have been amended merely to change their dependency from claim 1 to claim 2, which has been rewritten in independent form.

Thus, for the reasons set forth below with respect to claim 2, claims 6-8, 10, 48, and 49 should now be in condition for immediate allowance.

Claims 25, 28, 29, 31-34, 50, and 51

Applicant notes that claims 25, 28, 29, 31-34, 50, and 51 have been amended merely to change their dependency from claim 23 to claim 24, which has been rewritten in independent form.

Thus, for the reasons set forth below with respect to claim 24, claims 25, 28, 29, 31-34, 50, and 51 should now be in condition for immediate allowance.

Claim 45

To expedite prosecution, claim 45 has been amended to incorporate the features of claims 54 and 55. Therefore, claim 45 has been addressed below with reference to the rejection of claims 54 and 55 under 35 U.S.C. § 103(a).

For the foregoing reasons, the Examiner is requested to reconsider and withdraw this rejection and to permit these claims to pass to immediate allowance.

B. Claims 2-5, 9, 24-27, and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fox in view of Newbold.

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The Examiner alleges that the combination of Fox and Newbold discloses or suggests all of the features of the claimed invention. While Applicant respectfully submits that there are features of the claimed invention which are not disclosed or suggested by Fox and Newbold, either individually or in combination, it is noted that this rejection should be withdrawn, since Newbold is not available as prior art under 35 U.S.C. § 103(c) (i.e., the “safe harbor” provision).

That is, the effective U.S. filing date of Newbold is September 22, 1999, which is prior to the effective U.S. filing date of the present application’s parent application on June 29, 2001, and Newbold was published on September 1, 2005, which is after the filing date of the present application on June 29, 2001. Thus, Newbold would be available as prior art only under 35 U.S.C. § 102(c).

However, Newbold, which is a continuation application of U.S. Pat. No. 7,000,194 (issued February 14, 2006), was commonly assigned to International Business Machines Corporation, at the time of the present invention, as recorded at Reel/Frame 010400/0385 on November 29, 1999 for Newbold ‘194 (i.e., the parent application).

The present application also is commonly assigned to International Business Machines Corporation, and recorded at Reel/Frame 012585/0750 on February 15, 2002.

Thus, Newbold clearly is not available as prior art under § 103(c) (i.e., the “safe harbor” provision) as being commonly assigned with the present application at the time of filing of the present application. Hence, Newbold should be removed as prior art and the rejection under § 103(a) based on Newbold should be withdrawn.

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Therefore, the Examiner is requested to withdraw this rejection and to permit claims 2-5, 9, 24-27, and 31 to pass to immediate allowance.

C. Claims 11-17, 22, 33-39, 44, 47, and 52-55 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fox in view of Egger.

Claims 11-17

Applicant notes that claims 11-17 have been amended merely to change their dependency from claim 1 to claim 2, which has been rewritten in independent form.

Thus, for the reasons set forth above with respect to claim 2, claims 11-17 should now be in condition for immediate allowance.

Claims 33-39

To expedite prosecution, claim 23 has been canceled without prejudice or disclaimer and claim 24 has been rewritten in independent form.

Applicant notes that claims 33 and 34 have been amended merely to change their dependency from claim 23 to claim 24, which has been rewritten in independent form.

Also, claim 32, from which claims 35-39 depend, has been amended merely to change its dependency from claim 23 to claim 24, which has been rewritten in independent form.

Thus, for the reasons set forth below with respect to claim 24, claims 33-39 should now be in condition for immediate allowance.

Claims 22, 44, 47, and 52-55

With respect to claims 22, 44, 47, and 52-55, Applicant respectfully traverses this rejection for at least the following reasons.

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To expedite prosecution, claim 44 has been amended to incorporate the features of claims 52 and 53. Also, as mentioned above, claim 45 has been amended to incorporate the features of claims 54 and 55.

While Applicant believes that these claims are patentable over the combination of Fox and Egger, to expedite prosecution, claims 22, 44, 45, and 47 have been amended to define more clearly and particularly the features of the claimed invention.

Particularly, claims 22, 45, and 47 also have been amended to recite somewhat similar features as claim 24. Claim 44 also has been amended to recite somewhat similar features as claims 3 and 9.

Thus, Applicant respectfully submits that there are features of the claimed invention which are not disclosed or suggested by Fox and Egger, either individually or in combination. Indeed, Applicant notes that claims 3, 9, and 24 stand rejected under Fox in view of Newbold. However, for the reasons set forth above, Newbold is not available as prior art under 35 U.S.C. § 103(c).

For the reasons set forth above, Fox and Egger, either individually or in combination, do not disclose or suggest all of the features of the claimed invention.

Therefore, the Examiner is requested to reconsider and withdraw this rejection and to permit claims 22, 44, 45, and 47 to pass to immediate allowance.

V. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 2-17, 22, 24-39, 44, 45, and 47-51, all the claims presently pending in the application, are patentably distinct over the

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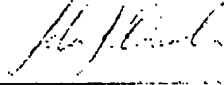
prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

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CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to (571) 273-8300 the enclosed Request for Reconsideration under 37 C.F.R. § 1.111 to Examiner Anh Ly, Group Art Unit 2162, on July 20, 2006.


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